

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/554,678 Confirmation No.: 9684
Applicant(s): Hayashizaki et al.
Filed: 05/14/2008
Art Unit: 1642
Examiner: Sean E. Aeder
Title: METHOD OF DETECTING METASTASIZING CANCER CELLS
ORIGINATING IN STOMACH CANCER

Docket No.: 035576/301942
Customer No.: 00826

Filed Via USPTO EFS-Web

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RULE 37 C.F.R. § 1.132 DECLARATION
OF YOSHIHIDE HAYASHIZAKI, YASUSHI OKAZAKI, CHOUHEI
SAKAKURA, AND HISAKAZU YAMAGISHI**

We, Yoshihide Hayashizaki of Ibaraki, Japan, Yasushi Okazaki of Kanagawa, Japan, Chouhei Sakakura of Kyoto, Japan, and Hisakazu Yamagishi of Shiga, Japan, do hereby declare and say as follows:

1. We are named co-inventors of an invention described and claimed in U.S. Patent Application Serial No. 10/554,678 ("the '678 Application"), entitled "Method of Detecting Metastasizing Cancer Cells Originating in Stomach Cancer."

2. We are co-authors of the article Sakakura et al., British Journal of Cancer, 2002, 87(10):1153-1161 ("the Sakakura publication"). The Sakakura publication describes our work and is the subject matter described and claimed in the '678 Application.

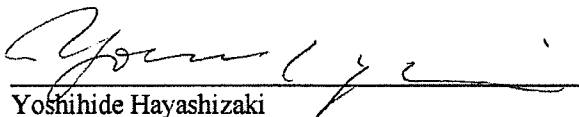
3. A. Hagiwara, M. Nakanishi, K. Shimomura, T. Takagi, R. Yasuoka, Y. Fujita, T. Abe, Y. Ichikawa, S. Takahashi, T. Ishikawa, I. Nishizuka, T. Morita, and H. Shimada are co-authors of the Sakakura publication. They are not co-inventors of the subject matter described and claimed in the '678 Application.

5. A. Hagiwara, M. Nakanishi, K. Shimomura, T. Takagi, R. Yasuoka, Y. Fujita, and T. Abe were included as coauthors because they were graduate students who worked under the direction and supervision of one of the inventors.

6. Y. Ichikawa, S. Takahashi, T. Ishikawa, I. Nishizuka, and T. Morita were included as coauthors because they learned experimental techniques and worked under one of the inventors. They are not co-inventors of the subject matter claimed in the '678 Application.

7. H. Shimada was included as a coauthor because he was academic supervisor of Y. Ichikawa, S. Takahashi, T. Ishikawa, I. Nishizuka, and T. Morita, and worked as a coordinator of experimental work. He is not a co-inventor of the subject matter claimed in the '678 Application.

8. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.


Yoshihide Hayashizaki

Feb 23, 2011
Date

Yasushi Okazaki

Date

Chouhei Sakakura

Date

Hisakazu Yamagishi

Date

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Yasushi Okazaki



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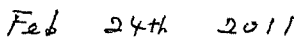
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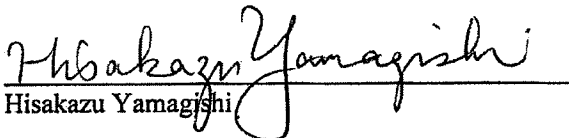
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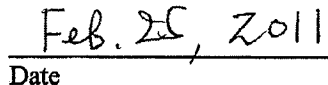
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Chouhei Sakakura

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